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Connecticut Department of
**ENERGY & ENVIRONMENTAL
PROTECTION**
Bureau of Materials Management
and Compliance Assurance

General Permit to Construct and Operate a Commercial Facility for the Management Of Recyclable Materials and Certain Solid Wastes

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Bureau of Materials Management and Compliance Assurance
Waste Engineering and Enforcement Division
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General Permit to Construct and Operate a Commercial Facility for the Management of Recyclable Materials and Certain Solid Wastes

Section 1. Authority to Issue General Permit

This General Permit is issued under the authority of Sections 22a-208a(i) and 22a-454(e) of the Connecticut General Statutes (“CGS”).

Section 2. Definitions

As used in the general permit, the following definitions shall apply and such defined terms appear capitalized when used:

“ACM Waste Properly Packaged and Labeled” means Asbestos Containing Material that has been adequately wetted with an amended water solution, placed in a sealed, impermeable, leak-tight Containers and labeled in accordance with 29 CFR 1910.1001(j)(4) and 40 CFR Part 61.150 and Section 22a-209-8(i)(2)(B) of the RCSA.

“Appendix” or “Appendices” means an Operation and Management Plan for each Solid Waste Facility Category attached to this General Permit.

“Approval of Registration” means an Approval of Registration issued under Section 4 of this General Permit.

“Architectural Paint” means interior and exterior architectural coatings sold in containers of five (5) gallons or less. Architectural Paint does not include industrial, original equipment or specialty coatings.

“Architectural Paint Representative Organization” means the nonprofit organization created by manufacturers of Architectural Paint to implement the paint stewardship program described in Section 22a-904a of the CGS.

“Asbestos containing material” or “ACM” means material composed of asbestos of any type and in an amount greater than one percent (1%) by weight, either alone or mixed with other fibrous or non fibrous material as defined in Section 19a-332a-10 of the Regulations of Connecticut State Agencies (“RCSA”) and Section 19a-332a(5) of the CGS.

“Ash residue” means bottom ash, air pollution control residue, and other residues from the combustion process at resources recovery facilities, municipal solid waste incinerators, and biomedical waste incinerators, coal burning power generation facilities and water pollution control facilities.

“Ash Residue in Properly Labeled and Sealed Containers” means Ash residue that has, at the point of generation and before such Solid waste is accepted at the Facility, been placed into DOT approved Containers that have been sealed and labeled with “Ash Residue-Do Not Open”.

“Asphalt roofing shingles” or *“ARS”* means a cellulose or fiberglass felt mat saturated with asphalt cement and small rock granules.

“Authorized activity” means any activity authorized by this General Permit.

“Battery” means a device consisting of one or more electrically connected electrochemical cells which is designed to receive, store, and deliver electric energy. An electrochemical cell is a system consisting of an anode, cathode, and an electrolyte, plus such connections (electrical and mechanical) as may be needed to allow the cell to deliver or receive electrical energy. The term Battery also includes an intact, unbroken battery from which the electrolyte has been removed.

“Biomedical waste” means untreated Solid waste, any disposable container thereof and any reusable container thereof which has not been decontaminated, generated during the administration of medical care or the performance of medical research involving humans or animals, including infectious waste, pathological waste and chemotherapy waste, but excluding (1) any solid waste which is a hazardous waste pursuant to Section 22a-115 of the CGS or a radioactive material regulated pursuant to Section 22a-148 of the CGS; (2) untreated Solid waste generated during the administration of medical care in a single or multiple family residence by a resident thereof; (3) discarded materials used for personal hygiene, such as diapers, facial tissues, and sanitary napkins, unless such materials are isolation wastes; (4) syringes, hypodermic needles and other medical equipment used by farmers for the treatment of their livestock in the course of conducting farming, provided that such equipment is not excluded when used by a veterinarian or at the direction of a veterinarian; and (5) samples of biomedical waste collected and transported by Department personnel for enforcement purposes as defined in Section 22a-209-15(a) of the RCSA.

“Capacitor” means a device for accumulating and holding a charge of electricity and consisting of conducting surfaces separated by a dielectric, as defined in 40 CFR 761.3.

“Carpet” means a fabric floor covering made of natural or synthetic fiber.

“Certified Operator” means the Solid Waste Facility operator or an employee of such operator who is present on site and oversees or carries out the daily operation of the Facility, and whose qualifications are approved in accordance with Section 22a-209-6 of the RCSA, which requires that a Certified Operator is present at the Facility during all operating hours.

“CFCs” means chlorofluorocarbons (also known as FreonTM).

“CFR” means Code of Federal Regulations as of the date this General Permit was issued.

“CGS” means the Connecticut General Statutes.

“Clean wood” means any wood which is derived from such products as pallets, skids, spools, packaging material, bulky wood waste, or scraps from newly built wood products, provided such wood is not treated wood as defined below or demolition wood as defined in Section 22a-208a-1 of the RCSA. Clean wood also includes land clearing debris.

"*Commercial Facility*" means a Facility for which the applicant is an individual/proprietor, partnership, or a corporation. A Commercial Facility does not include municipally owned or operated Sites.

"*Commissioner*" means Commissioner as defined by Section 22a-2(a) of the CGS.

"*Conditionally Exempt Small Quantity Generator*" or "*CESQG*" means a business, non-profit organization, or municipal entity that generates no more than one hundred (100) kilograms of Hazardous waste in a calendar month and accumulates less than one thousand (1,000) kilograms of Hazardous waste at any one time and otherwise meets the requirements of a CESQG in Section 22a-449(c)-101(b) of the RCSA.

"*Consolidated load*" means a load of Recyclables and other Solid waste that have been previously segregated by type of material or Solid waste and which have been placed in the same transportation Container or vehicle for transfer while maintaining such segregation.

"*Construction and demolition waste*" or "*C & D waste*" means waste building materials and packaging resulting from construction, remodeling, repair and demolition operations on houses, commercial buildings and other structures, excluding asbestos and clean fill as defined in Section 22a-209-1 of the RCSA, or Solid waste containing greater than de minimis quantities, as determined by the Commissioner of Energy and Environmental Protection, of (A) radioactive material regulated pursuant to Section 22a-148 of the CGS, (B) Hazardous waste as defined in Section 22a-115, and (C) liquid and semiliquid materials, including, but not limited to, adhesives, paints, coatings, sealants, preservatives, strippers, cleaning agents, oils and tars. "*Container*" means any portable enclosure in which Solid waste is held, including but not limited to: bags, boxes, roll-offs, drums, trailers and railcars.

"*Covered electronic device*" or "*CED*" means desktop or personal computers, computer monitors, portable computers, CRT-based televisions and non-CRT-based televisions or any other similar or peripheral electronic device specified in regulations adopted pursuant Section 22a-638 of the CGS, sold to consumers, but does not include: (A) An electronic device that is a part of a motor vehicle or any component part of a motor vehicle assembled by, or for, a vehicle manufacturer or franchise dealer, including replacement parts for use in a motor vehicle; (B) an electronic device that is functionally or physically part of a larger piece of equipment designed and intended for use in an industrial, commercial or medical setting, including diagnostic, monitoring or control equipment; (C) an electronic device that is contained within a clothes washer, clothes dryer, refrigerator, refrigerator and freezer, microwave oven, conventional oven or range, dishwasher, room air conditioner, dehumidifier or air purifier; (D) telephones of any type unless they contain a video display area greater than four inches measured diagonally; or (E) any handheld device used to access commercial mobile radio service, as such service is defined in 47 CFR 20. 3.

"*Day*" means the calendar day; if any date specified in the General Permit falls on a Saturday, Sunday, or legal holiday, such deadline shall be the next business day thereafter.

"*Department*" means the Department of Energy and Environmental Protection.

“*DPH*” means the Connecticut Department of Public Health.

“*Designated recyclable item*” means an item designated for Recycling by the Commissioner in regulations adopted pursuant to subsection (a) of Section 22a-241b or as otherwise amended, or designated for Recycling pursuant to CGS Section 22a-256 or 22a-208v or as otherwise amended.

“*Disassembly*” means the separation and dismantling of Used electronics into components, either manually or mechanically into identifiable components for the purpose of marketing, reselling, reusing, or recycling the components. Disassembly shall not mean heating, crushing, or otherwise treating.

“*Disposal*” means placement of material at a location with the intent to leave it at such location indefinitely, or to fail to remove material within forty-five Days, but it does not mean placement of material required and intended to be recycled.

“*DOT*” means the Connecticut Department of Transportation.

“*EPA*” means the United States Environmental Protection Agency.

“*Facility*” means the location identified in an Approval of Registration for this General Permit at which the activities authorized herein are to be conducted.

“*Fluorescent light ballast*” means a device that electrically controls fluorescent light fixtures and that includes a Capacitor containing 0.1 kilograms or less of dielectric fluid.

“*Gypsum wallboard*” means a family of panel products that consist of a noncombustible core, composed primarily of gypsum, and a paper surfacing on the face, back and long edges. Gypsum wallboard may also be referred to as drywall, wallboard, or plasterboard.

“*Hazardous waste*” means any waste material which may pose or present a potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed, including Hazardous waste identified or listed as Hazardous wastes in accordance with Section 22a-449(c)-101 of the RCSA.

“*Impervious*” means the ability of a base surface underneath Containers or tank systems, free of cracks, gaps or areas of bare earth, to prevent and inhibit the migration of spilled or leaked material until the material is detected and removed; or the ability for a cover of a Container to prevent the infiltration of precipitation.

“*Inadvertently broken*” or “*Inadvertently damaged*” means wastes that are regulated as Universal Waste and mercury thermometers that have been unintentionally broken or damaged during the course of transportation or proper handling at the Facility. Universal wastes and mercury thermometers that are intentionally broken or damaged, or are broken or damaged due to improper handling or management, are subject to the full requirements for management of Hazardous waste found in Sections 22a-449(c)-100 through 119 of the RCSA.

“Individual permit” means a Permit to Construct and Operate a Solid Waste Facility issued to a named permittee under Section 22a-208a of the CGS.

“Land clearing debris” means trees, stumps, branches, or other wood generated from clearing land for commercial or residential development, road construction, routine landscaping, agricultural land clearing, storms, or natural disasters.

“Large Quantity Generator” or “LQG” means a business, non-profit organization or Municipality that generates more than one thousand (1,000) kilograms of Hazardous waste in a calendar month and is otherwise subject to the requirements of a LQG as indicated in Section 22a 449(c)-102 of the RCSA.

“Leachate” means liquid which results from water which has been in contact with Solid waste and has extracted material, either dissolved or suspended, from the Solid waste.

“Load consolidation” means the accumulation or combining of Containers of Solid waste which are properly sealed, packaged and labeled, for the purpose of transfer to another Solid Waste Facility.

“Market” means a Person who may accept for reuse or Recycling, Recyclables and other Solid waste.

“Mercury-containing equipment” means a device or part of a device (including thermostats, but excluding lamps and batteries) that contains elemental mercury integral to its function.

“Mercury-containing lamp” or “Lamp” means the bulb or tube portion of an electric lighting device that contains mercury in any amount. A Lamp is specifically designed to produce radiant energy, most often in the ultraviolet, visible, and infra-red regions of the electromagnetic spectrum. Examples of Mercury-containing lamps include, but are not limited to, fluorescent, high intensity discharge, neon, high-pressure sodium, mercury vapor and metal halide lamps.

“Mixed batteries” means used: alkaline, magnesium and zinc-carbon cylindrical batteries, silver oxide, alkaline and zinc-air button cell batteries, nickel cadmium, small sealed lead-acid and nickel-metal hydride batteries.

“Municipal solid waste” or “MSW” means Solid waste from residential, commercial and industrial sources, excluding Solid waste consisting of significant quantities of Hazardous waste, Land-clearing debris, demolition debris, Biomedical waste, sewage sludge and Scrap metal.

“Municipality” means any town, city or borough of the state.

“Newspaper” means used or discarded newsprint which has a minimum of contamination by food or other material.

“Non-RCRA Hazardous waste” means wastes that are not classified as [Hazardous Wastes](#) under 40 CFR 261.3 but that are still subject to certain management requirements under Section 22a-454 of the CGS.

“Office paper” means used or discarded high-grade white paper and manila paper including, but not limited to, paper utilized for file folders, tab cards, writing, typing, printing, computer printing, and photo-copying, which is suitable for Recycling and which has a minimum of contamination.

“OSHA” means Occupational Safety and Health Administration of the United States Department of Labor.

“Operator” means the business or individual(s) that is present on site and oversees or carries out the routine functions of the Facility in conformance with applicable statutes, regulations and Facility permit.

“Oversized municipal solid waste” or “OMSW” means large Solid waste items from residential, commercial and industrial sources, includes but is not limited to such items as furniture, Carpets, and mattresses.

“Person” means any individual, firm, partnership, association, syndicate, company, trust, corporation, limited liability company, municipality, agency or political or administrative subdivision of the state, or other legal entity of any kind.

“Polychlorinated biphenyl” or “PCB” means any chemical substance that is limited to the biphenyl molecule that has been chlorinated to varying degrees or any combination of substances which contains such substance. PCBs are a broad family of man-made organic chemicals known as chlorinated hydrocarbons.

“Processing” means activities conducted at the Facility which may include: receiving, managing, sorting, compacting or otherwise reducing in volume, consolidating, storing, and removing or transferring waste from the Facility.

“Receipt” means the Registrant has accepted a delivery of authorized Solid waste.

“Recyclable items” or “Recyclables” means materials which are designated for Recycling pursuant to Section 22a-241b of the CGS or Sections 22a-241b-1 to 22a-241b-4 of the RCSA or which may be recovered from the Solid waste stream and for which there is a demonstrated Market for reuse or that may be beneficially used in the production of other products.

“Recyclable” means source-separated Solid waste that is intended to be recycled or Solid waste that is separated at the Facility to be recycled, including but not limited to the items specified in Section 22a-241b of the CGS and Section 22a-241b-2 of the RCSA, and which has not been contaminated by toxic substances, Hazardous waste, or by other Solid waste which could render such source-separated Solid waste marketable.

“Recyclable containers” means food and beverage containers made of glass, metal, plastic and paper/cardboard and includes aluminum and steel food and beverage containers; paper cartons for beverages and liquids such as juice and milk, including gable-top cartons; plastic containers; and glass containers.

“Recycling” means the reclamation from Solid waste of materials for future use or processing.

“Recycling Facility” or *“Recycling Center”* means land and structures thereon where Recycling is legally conducted.

“Registrant” means (1) for Tier 1: a person that is not required to submit a Registration and is conducting an operation in accordance with the applicable requirements of this general permit; and/or (2) for Tier 2: a person that has submitted the required Registration of a proposed operation; and/or (3) for Tier 3: a person to which the Commissioner has issued a written Approval of Registration of a proposed operation under this General Permit.

“Registration” means a registration form prescribed by and filed with the Commissioner pursuant to Section 4 of this General Permit.

“RCSA” means the Regulations of Connecticut State Agencies.

“Resources Recovery Facility” or *“RRF”* means a volume reduction plant, as defined in Section 22a-207 of the CGS, utilizing processes aimed at reclaiming the material or energy values from Solid wastes.

“Scrap metal” means used or discarded items that consist predominantly of ferrous metals, aluminum, brass, copper, lead, chromium, tin, nickel or alloys thereof, including, but not limited to, white goods and metal food containers and which does not meet the characteristics of ignitability in 40 CFR 261.21 or the characteristic of reactivity in 40 CFR 261.23 or does not otherwise meet the definition of Used electronics.

“Site” means geographically contiguous land or water on which an authorized activity takes place or is proposed to take place, for which authorization is sought under this General Permit. Non-contiguous land or water owned by the same person and connected by a right-of-way which such person controls and to which the public does not have access, shall be deemed the same Site.

“Site Plan” means one or more engineered drawings depicting the Facility and identifying Solid waste management areas and Site features in accordance with Section 22a-209-4 of the RCSA. Such drawings shall be generated and certified by a professional engineer licensed to practice in the state of Connecticut.

“Small Quantity Generator” or *“SQG”* means a business, non-profit organization or Municipality that generates more than one hundred (100) kilograms but less than one thousand (1,000) kilograms of Hazardous waste in a calendar month and otherwise meets the definition of an SQG as defined in Section 22a-449(c)-100(c)(28) of the RCSA.

“Solid waste” means unwanted or discarded solid, liquid, semisolid or contained gaseous material, including, but not limited to, demolition debris, material burned or otherwise processed at a Resources Recovery Facility or incinerator, material processed at a Recycling Facility and sludges or other residue from a water pollution abatement facility, water supply treatment plant or air pollution control facility. “Solid waste” also includes Recyclables and the Universal wastes authorized for acceptance by this General Permit.

“Solid Waste Facility” means any solid waste Disposal area, volume reduction plant, transfer station, wood-burning facility or Biomedical waste treatment facility as defined in Section 22a-207 of the CGS.

“Source-separated organic material” or “SSOM”) means organic material, including, but not limited to, food scraps, food processing residue and soiled or unrecyclable paper that has been separated at the point or source of generation from nonorganic material.

“Source-separated recyclables” means Recyclables that have been separated, from other Solid waste at the location where such Solid waste was generated.

“Spent lead-acid battery” means a used Battery from a vehicle owned by an individual and not utilized for any commercial purpose.

“Storage” means the holding of Solid waste for a temporary period, at the end of which the Solid waste is recycled, disposed, or stored elsewhere.

“Textiles” means items made from woven or knitted cloth, vinyl and other artificial fabrics or items made from the furs or skins of animals.

“Thermostat” means a temperature control device that contains metallic mercury in an ampoule attached to a bimetal sensing element, and mercury-containing ampoules that have been removed from these temperature control devices in compliance with the requirements of 40 CFR 273.13(c)(2) or 273.33(c)(2) as incorporated by Section 22a-449(c)-113(a)(1) of the RCSA.

“Tipping floor” means an enclosed floor made of an Impervious surface onto which Solid waste is deposited from a collection Container or vehicle.

“Transfer station” means any location or structure, whether located on land or water, where more than ten cubic yards of Solid waste generated elsewhere may be stored for transfer, or transferred from transportation units and placed in other transportation units for movement to another location, whether or not such Solid waste is stored at the location prior to transfer.

“Treated wood” means wood that contains an adhesive, paint, stain, fire retardant, pesticide or preservative.

“Transloading” means the transfer of Recyclables and other Solid waste(s) from one vehicle to another or from one mode of transportation to another.

“Universal waste” means hazardous wastes as defined in Section 22a-449(c)-113 of the RCSA incorporating 40 CFR 273. The following Universal wastes can be accepted under this General Permit for a Facility:

- (a) Mixed batteries, such as nickel-cadmium and small sealed lead-acid batteries, which are found in many common items in the business and home setting, including electronic equipment, mobile phones, portable computers and emergency backup lighting;
- (b) Mercury-containing lamps that contain mercury in any amount. This includes but is not limited to: fluorescent, high intensity discharge (HID), neon, high-pressure sodium, metal halide and mercury vapor lamps;
- (c) Mercury-containing equipment; and.
- (d) Used electronics, or Used electronic devices.

“Used electronics” or *“Used electronic device”* means a device or component thereof that contains one or more circuit boards or cathode ray tubes, that is used primarily for data transfer or storage, communication, or entertainment purposes, including but not limited to, desk top and lap top computers, computer peripherals, monitors, copying machines, scanners, printers, radios, televisions, camcorders, video cassette recorders (“VCRs”), compact disk players, MP3 players, telephones, including cellular and portable phones, and stereos. This includes any electronic device that is not included in the definition of Covered electronic devices.

“Used oil” means any oil refined from crude oil or synthetic oil that (a) has been used and as a result is contaminated by physical or chemical impurities or (b) is no longer suitable for the services for which it was manufactured due to impurities or a loss of original properties, including and not limited to: crankcase oil, transmission fluid, power steering fluid and hydraulic fluids.

“Yellow grease” means spent cooking oil that has been collected from food preparations, including but not limited to fryolator grease, that can be recovered and sent for Recycling into various usable products including animal feed, lubricants and alternative fuels. Yellow grease does not include fats, oils or greases that are recovered using oil/water separators.

Section 3. Authorization Under This General Permit

(a) *Eligible Activities*

Provided the requirements of Section 3(b) of this General Permit are satisfied, this General Permit authorizes the Registrant to manage Solid waste within the state of Connecticut as follows:

- (1) Construct and operate a Solid Waste Facility that may receive and process Solid waste and Recyclables as authorized by this General Permit for one or more Solid Waste Facility Categories described below. Such Facilities shall be managed consistent with the Solid Waste Facility Categories’ Operation and Management Plan (provided as the Appendices to this General Permit) and in accordance with the following operational limits:

Appendix	Solid Waste Facility Category	Maximum Daily Receipt Capacity (Tons Per Day)
A	Asbestos Containing Material ("ACM")	20
B	Ash Residue	200
C	Clean Wood Tier I Tier II Tier III	10 20 50
D	C&D Waste Tier I Tier II Tier III	10 20 50
E	Non-RCRA Hazardous Waste	30
F	Recyclables For Facilities that recycle Only one type of Recyclable or Solid waste (Paper, Plastic, Glass, Mattresses or Gypsum Wallboard)	30 100
G	Universal Wastes and Compatible Solid Wastes	30

- (2) A Registrant may seek authorization under this General Permit for multiple Solid Waste Facility categories (Appendices) up to a maximum of five categories.
- (3) The Storage limit for each Solid waste type received at the Facility with multiple Solid Waste Facility category authorizations shall be the highest Storage limit provided through any one solid waste facility category the Registrant holds. Storage limits for any one Solid waste type shall not be cumulative.

For example: The C&D waste Appendix authorizes 1,000 cubic yards (cy) of storage for unprocessed Clean wood and the Recyclables Appendix authorizes 3,000 cy storage of Clean wood. A Registrant who holds an authorization for both Solid Waste Facility categories shall have authorization to store a maximum of 3,000 cy of unprocessed Clean wood, not the cumulative volume of 4,000 cy.

(b) Requirements for Authorization

This General Permit authorizes the construction and operation of Solid Waste Facilities as described in Section 3(a) of this General Permit, provided:

- (1) Registration
A completed registration for the management of Recyclables and other Solid wastes at a commercial Facility has been filed with the Commissioner and the Commissioner has issued a written Approval of Registration;
- (2) Operation and Management of the Facility
The Solid Waste Facility is operated and managed in accordance with all the requirements of this General Permit and the Appendices for the facility categories identified in the Approval of Registration.

(3) Coastal Area Management

The management of Recyclables and other Solid wastes at a Commercial Facility is consistent with all applicable goals and policies in Section 22a-92 of the CGS, and will not cause adverse impacts to coastal resources as defined in Section 22a-93 of the CGS.

(4) Endangered and Threatened Species

The management of Recyclables and other Solid wastes at a Commercial Facility does not threaten the continued existence of any species listed pursuant to Section 26-306 of the CGS and will not result in the destruction or adverse modification of habitat designated as essential to such species.

(5) Aquifer Protection

The management of Recyclables and other Solid wastes at a Commercial Facility, if it is located within an aquifer protection area as mapped under Section 22a-354b of the CGS, complies with regulations adopted pursuant to Section 22a-354i of the CGS

(6) Environmental Justice

The management of Recyclables and Solid waste is to be conducted at a Site which is located in an environmental justice community [refer to the Environmental Justice Public Participation Guidelines (DEP-EJ-GUID-001) for more information, (www.ct.gov/deep/environmentaljustice); (www.ct.gov/ecd/cwp/view.asp?a=1105&q=251248)], pursuant to Section 22a-20a of the CGS and:

- a. If the site includes a *new* facility or a *new* activity and is located in an environmental justice community, except for the Tier I C&D Waste category, the Registrant shall hold an informal public meeting that is convenient to the public, prior to coverage under the General Permit; or
- b. If the subject Registration includes an activity which will occur at an *existing* facility that was previously individually permitted, and is located in an environmental justice community, the Registrant shall submit an Environmental Justice Public Participation Plan **PRIOR TO FILING THE SUBJECT REGISTRATION WITH THE DEPARTMENT** and adhere to the requirements of Section 22a-20a CGS.

(7) Flood Management

The management of Recyclables and other Solid wastes at a Commercial Facility is consistent with all applicable standards and criteria established in Sections 25-68d(b) of the CGS and Sections 25-68h-1 through 25-68h-3, inclusive, of the RCSA.

(8) Stormwater and Wastewater Discharges

The management of Recyclables and other Solid wastes at a Commercial Facility's Site complies with all applicable standards and requirements for stormwater and wastewater discharges established pursuant to Sections 22a-430 and 430b of the CGS. It is the Registrant's responsibility to register for the Department's "General Permit for the Discharge of Stormwater Associated with Industrial Activities" and "General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater", as appropriate, and/or obtain other, necessary permit(s) through the Water Permitting and Enforcement Division.

(c) *Geographic Area*

This General Permit applies throughout the State of Connecticut.

(d) *Effective Date and Expiration Date of this General Permit*

This General Permit is effective on the date it is issued by the Commissioner and expires five (5) years from the date of issuance. (*This is **NOT** the date of approval of the Registration; see Section 3(e) below of this General Permit.*)

(e) *Effective Date of Approval of Registration*

The management of Recyclables and other Solid wastes at a commercial Facility is authorized by this General Permit on the date the Commissioner issues a written Approval of Registration with respect to such activity.

(f) *Transition to and from an Individual Permit*

No Person shall operate or conduct an activity authorized by both an Individual permit and this General Permit. The requirements for transitioning authorization are as follows:

- (1) *Revocation of Other Licenses* If the proposed management of Recyclables and other Solid wastes at a commercial Facility meets the requirements of authorization under this General Permit, and if such activities are presently authorized by an individual permit, the Permittee shall in writing surrender its permit to the Commissioner. Such Permittee's individual permit shall remain in effect until Approval of Registration for such activities under this General Permit is issued. Upon issuance of an Approval of Registration for the management of Recyclables and other Solid wastes an individual permit authorizing such activities shall be superseded by the terms and conditions of this General Permit and the applicable Appendix(ices). A business or operation shall not carry multiple licenses authorizing the same activity at the same Site.
- (2) *Transition from Authorization under this General Permit to an Individual Permit* If the management of Recyclables and other Solid wastes at a commercial Facility is authorized under this General Permit and the Commissioner subsequently issues an Individual permit for the same activity, then on the date any such Individual permit is issued by the Commissioner, the Approval of Registration issued under this General Permit shall automatically expire.

(g) *Segregation of Activities not Authorized under this General Permit*

Any activities that do not require authorization through a license or activities that do require a license but are not authorized through this General Permit and the Appendices shall be conducted in an area segregated from any activities authorized herein.

Section 4. Registration Requirements

(a) *Who Shall File a Registration?*

Any Person seeking, under the authority of this General Permit, to construct and/or operate a Solid Waste Facility shall file with the Commissioner:

- (1) A Registration form which meets the requirements of Section 4 of this General Permit;
and
- (2) The applicable fee.

(b) Scope of Registration

A Registrant shall submit one registration form for all management of Recyclables and other Solid wastes at a Commercial Facility taking place at a single Site for which the Registrant seeks authorization under this General Permit. The management of Recyclables and other Solid wastes at a Commercial Facility taking place at more than one Site may not be consolidated on one Registration form.

(c) Registration of Each Solid Waste Facility Category (“category”)

- (1) A single Registration for approval under this General Permit shall be made for each category (each a separate “Appendix”) for which the Registrant seeks authorization under this General Permit. A separate Registration is required for activities at a different location.

NOTE: A Registrant may seek authorization under this General Permit for multiple categories up to a maximum of five (5) categories.

- (2) The commercial management of Clean wood or Construction and demolition wastes at a location shall fall into one of three Tiers. The Tiers are distinguished through the maximum receipt capacity authorized and the Registration requirements. Each **category** shall have different management requirements for each Tier, as specified in each category Appendix. The Tiers’ Registration requirements and associated fees are as follows:

Tier	Registration Requirement	Fee
I	None	None
II	Registration	See Section 4.(d)(1) below
III	Approval of Registration	See Section 4.(d)(1) below

- (3) Authorization to conduct Tier II activities for Clean Wood and C&D wastes at one location may be granted. Only one Tier III activity shall be authorized for any one location.

(d) Contents of a Registration

- (1) Fee
 - (A) The Registration fees shall be submitted based on the fee associated with each category selected on the Registration form. A Registration shall not be deemed complete and no activity shall be authorized by this General Permit unless the Registration fee has been paid in full.

The Registrants may select up to five (5) categories; fees are cumulative.
The fee for each category is as follows:

Asbestos Containing Materials:	\$1250.00
Ash Residue:	\$1250.00
Clean Wood: Tier I	No Fee Required
Tier II	\$ 250.00
Tier III	\$ 500.00
Construction and Demolition Waste:	
Tier I	No Fee Required
Tier II	\$ 500.00
Tier III	\$1250.00
Non-RCRA Hazardous Waste:	\$1250.00
Recyclables:	\$ 500.00
Universal Wastes:	\$1250.00
Spent Mixed Batteries:	
Tier I	No Fee Required

- (B) The Registration fee shall be paid by check or money order payable to the **Department of Energy and Environmental Protection.**
- (C) The Registration fee is non-refundable.

(2) Registration Form

A Registration shall be filed on forms prescribed and provided by the Commissioner. The forms along with any required supporting documents shall be completed **in their entirety** prior to submittal. The signature of the proposed Registrant and of the individual(s) responsible for actually completing the forms shall be certified as required on the Registration Form. The Registration Form shall include but not be limited to the following:

- (A) Legal name, address, and telephone number of the Registrant. If the Registrant is an entity transacting business in Connecticut and is required to register with the Connecticut Secretary of the State, provide the exact name as registered with the Connecticut Secretary of the State.
- (B) Legal name, address, and telephone number of the owner of the property on which the proposed management of Recyclables and other Solid wastes at a Commercial Facility is to take place.
- (C) Legal name, address, and telephone number of the registrant's attorney or other representative, if applicable.
- (D) Legal name, address, and telephone number of any consultant(s) or engineer(s) retained by the registrant to prepare the registration or to design or construct the proposed Commercial Facility at which the management of Recyclables and other Solid wastes is to take place.
- (E) Location address of the Site with respect to which the Registration is submitted.
- (F) Any information required by the Commissioner to determine that the proposed management of Recyclables and other Solid waste is conducted in accordance with state and federal law.

- (G) A description of the potential adverse environmental effects of the proposed management of Recyclables and other Solid wastes and the practices or methods to be implemented by the Registrant to minimize such effects.
- (H) Site Plan drawing(s) showing the Site's boundaries and the location of the proposed management of Recyclables and other Solid wastes. The Site Plan drawing shall be prepared, signed, dated, stamped and certified by a Professional Engineer (P.E.) licensed to practice in Connecticut. The Site Plan shall provide a clear and detailed representation of all existing and proposed natural and man-made features, legend, scale and notes with references. The Site Plan shall also depict the proposed layout of the facility, including all structures and all indoor and outdoor activities, including delineations, dimensions and quantities of processing and storage equipment and areas. More than one sheet may be used, if necessary.

The Site Plan shall at a minimum include:

- (i) Plan scale of at least 1 in. = 100 ft.; provide the scale on the plan in graphic form;
 - (ii) Plan date, and each revision date;
 - (iii) North arrow;
 - (iv) Existing and proposed contour intervals at no more than 5 ft. and sufficient to show surface water flow;
 - (v) Property boundaries of the site, identification of all abutters and direction and distance to any potable water wells on such properties;
 - (vi) Wetlands and watercourses;
 - (vii) Easements and utilities;
 - (viii) Stormwater and sanitary sewer systems;
 - (ix) Flood zones;
 - (x) A location map;
 - (xi) Roads and internal drives, depictions of ingress to and egress from the Facility, on-site traffic patterns, parking areas, all paved areas;
 - (xii) Landscaping; and
 - (xiii) A Professional Engineer licensed to practice in Connecticut shall affix his or her seal, date and live signature on the Site Plan, with the following certification:

"I certify that I have thoroughly prepared and completely reviewed the Site Plan submitted with the Registration form for the General Permit to Construct and Operate a Commercial Facility for the Management Of Recyclable Materials and Certain Solid Wastes. I am aware that there are significant penalties for false statements in this certification, including the possibility of fines and imprisonment for knowingly making false statements."
- (I) An 8 1/2" by 11" copy of the relevant portion or a full-sized original of a United States Geological Survey (USGS) quadrangle map, with a scale of 1:24,000, showing the exact location of the site and the area within a one mile radius of the site. Identify the quadrangle name and number on such copy.

- (J) The following certification must be signed by a Professional Engineer, licensed to practice in Connecticut:

“I certify based on my review and on my professional judgment, that the management of Recyclables and other Solid wastes at the Commercial Facility; will be in accordance with the conditions of the General Permit. I am aware that there are significant penalties for false statements in this certification, including the possibility of fine and imprisonment for knowingly making false statements”.

- (K) The signature of the registrant and of the individual or individuals responsible for actually preparing the registration, each of whom shall certify in writing as follows:

“I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I certify that this General Permit registration is on complete and accurate forms as prescribed by the Commissioner without alteration of their text. I understand that a false statement made in the submitted information may be punishable as a criminal offense, in accordance with Section 22a-6 of the General Statutes, pursuant to Section 53a-157b of the General Statutes, and in accordance with any other applicable statute.”

“I certify that I have read the General Permit to Construct and Operate a Commercial Facility for the Management of Recyclable Materials and Certain Solid Wastes issued by the Commissioner of Energy and Environmental Protection; and that the management of Recyclables and other Solid wastes at the Commercial Facility which is the subject of this registration is eligible for authorization under such General Permit; that if such management of Recyclables and other Solid wastes at the Commercial Facility commenced prior to the issuance of such permit, all applicable requirements of such permit are being met; and that a functioning and effective system is in place to assure that all such requirements are met so long as the management of Recyclables and other Solid wastes at the Commercial Facility which is the subject of this registration continues.”

(3) Financial Assurance Mechanism

Registrants authorized to conduct operations under the following Appendices shall provide financial assurance mechanisms: Asbestos Containing Material (“ACM”); Ash Residue; Construction & Demolition (“C&D”) Waste; Non-RCRA Hazardous Waste and Compatible Solid Waste (“Non-RCRA”); and Universal Waste and Compatible Solid Wastes (“Universal Waste”).

- (A) The Registrant shall, no later than sixty (60) days after the date of issuance of an Approval of Registration under this General Permit, establish for the Commissioner's benefit an acceptable financial assurance instrument and post the financial assurance with the Department in the amount as published in the Department document entitled *Instructions: Registration Form-General Permit to Construct and Operate a Commercial Facility for the Management of Recyclable Materials and Certain Solid Wastes* (DEEP-SW-INST-015), as required by Section 22a-6(a)(7) of the CGS in conjunction with the general requirements of Section 22a-209-4(i) of the RCSA.
- (B) The Registrant shall acknowledge and accept that the:
- (i) Purpose of the financial assurance is to cover the third party costs for handling, removing, transporting and disposing the maximum permitted amount of unprocessed and processed Solid waste at the Facility and any additional cost(s) to ensure the proper closure of Storage areas including, but not limited to, equipment rental, site clean-up, the decontamination and Disposal of all equipment and Processing and Storage areas, and a fifteen percent (15%) contingency to cover unforeseen events or activities that may increase the overall cost to close the Facility.
 - (ii) Financial assurance instruments shall follow the requirements of Section 22a-209-4(i) of the RCSA, and 40 CFR 264.141 to 264.143 inclusive and 40 CFR 264.151, as referenced therein. The Registrant shall ensure that the financial assurance instrument is established in a format specified by the Commissioner for closure or post-closure maintenance and care, as appropriate.
 - (iii) Department accepts five (5) types of financial assurance instruments; they are:
 - (a) Trust Fund (fully funded);
 - (b) Irrevocable Standby Letter of Credit;
 - (c) Financial Guarantee "Payment" Bond;
 - (d) Performance Bond; and
 - (e) Certificate of Insurance.The following additional documents are also required to be submitted:
 - (a) A cover letter, signed by the Registrant, along with the Irrevocable Standby Letter of Credit, in accordance with 40 CFR 264.143(d)(4);
 - (b) A "Standby Trust Agreement", along with either a Irrevocable Standby Letter of Credit, Financial Guarantee "Payment" Bond, or Performance Bond; and
 - (c) "Certification of Acknowledgement", along with the trust fund.
 - (iv) Financial assurance shall:
 - (a) Be valid for and appropriately maintained during the term of this General Permit;
 - (b) Specify the Registrant's name, the Facility's address, the number and issuance date of this General Permit; and
 - (c) Be established in one or more of the instrument formats found on the Department's website [www.ct.gov/DEP/financialassurance].

- (v) Financial assurance instrument shall be adjusted annually for inflation within the sixty (60) Days prior to the anniversary date of the instrument, and whenever there is a change in operations that affects the cost of closing the Facility in accordance with the requirements of 40 CFR 264.142(b) as incorporated in the RSCA Section 22a-449(c)-104. Such annually adjusted financial assurance instrument shall be submitted to the Commissioner within the sixty (60) Days prior to the anniversary date of the instrument.

(e) *Where to File a Registration and Other Related Documents*

A Registration shall be filed with the Commissioner at the following address:

CENTRAL PERMIT PROCESSING UNIT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION
79 ELM STREET
HARTFORD, CT 06106-5127

(f) *Additional Information*

The Commissioner may require a registrant to submit additional information which the Commissioner reasonably deems necessary to evaluate the consistency of the management of Recyclables and other Solid wastes at a Commercial Facility with the requirements for authorization under this General Permit.

(g) *Action by Commissioner*

- (1) The Commissioner may reject without prejudice a Registration if it is determined that it does not satisfy the requirements of Section 4(c) of this General Permit, the Registrant fails to submit the required fee or more than thirty (30) Days have elapsed since the Commissioner requested that the Registrant submit additional information and the Registrant has not submitted such information and/or fee. Any Registration refiled after such a rejection shall be accompanied by the fee specified in Section 4(d)(1) of this General Permit.
- (2) The Commissioner may disapprove a Registration if it is found that the management of Recyclables and other Solid wastes at a Commercial Facility is inconsistent with the requirements for authorization under Section 3 of this General Permit and applicable Appendix(ices), or for any other reason provided by law.
- (3) Disapproval of a Registration under this subsection shall constitute notice to the Registrant that the management of Recyclables and other Solid wastes at a Commercial Facility may not lawfully be conducted or maintained without the issuance of an Individual permit.
- (4) The Commissioner may approve a Registration with reasonable conditions. If the Commissioner approves a Registration with conditions, the Registrant shall be bound by such conditions as if they were a part of this General Permit.
- (5) Rejection, disapproval, or approval of a Registration shall be in writing.

Section 5. Conditions of This General Permit

The Registrant shall at all times continue to meet the requirements for authorization set forth in Section 3 of this General Permit including operating conditions, monitoring requirements and reporting and record keeping requirements. In addition, a Registrant shall ensure that the management of Recyclables and other Solid wastes at a Commercial Facility authorized by this General Permit are conducted in accordance with the attached Appendices as applicable:

- Appendix A Asbestos Containing Material (ACM);
- Appendix B Ash Residue;
- Appendix C Clean Wood;
- Appendix D Construction and Demolition (C&D) Waste;
- Appendix E Non-RCRA Hazardous Waste;
- Appendix F Recyclables; and
- Appendix G Universal Wastes and Compatible Solid Wastes.

Section 6. General Permit Conditions

(a) Reliance on Registration

When evaluating a Registration, the Commissioner relies on information provided by the Registrant. If such information proves to be false or incomplete, the authorization issued under this General Permit may be suspended or revoked in accordance with law, and the Commissioner may take any other legal action provided by law.

(b) Duty to Correct and Report Violations

Upon learning of a violation of a condition of this General Permit and applicable Appendix(ices), a Registrant shall, immediately take all reasonable action to: determine the cause of such violation, correct such violation and mitigate its results; prevent the recurrence of such violation; and report in writing such violation and such corrective action to the Commissioner within five (5) Days of the Registrant's learning of such violation. Such report shall be certified in accordance with Section 6(d) of this General Permit.

(c) Duty to Keep Records and Report to the Department

The Registrant shall compile records and provide reporting to the Department in accordance with the requirements found in Part I E.(10) of each applicable Appendix.

(d) Duty to Provide Information

If the Commissioner requests any information pertinent to the management of Recyclables and other Solid wastes at a Commercial Facility or to determine compliance with this General Permit and applicable Appendix(ices), or with the Registrant's Approval of Registration, the Registrant shall provide such information in writing within thirty (30) Days of such request. Such information shall be certified in accordance with Section 6(d) of this General Permit.

Within five (5) Days of submission of a Registration to the Department, the Registrant shall provide a copy of such Registration to the chief elected official (“CEO”) of the municipality in which the Facility is proposed. The Registrant shall notify that municipality’s CEO of his receipt of an Approval of Registration under this General Permit within five (5) Days of its issuance.

(e) *Certification of Documents*

Any document, including but not limited to any notice, which is submitted to the Commissioner under this General Permit shall be signed by, as applicable, the Registrant, in accordance with the RCSA Section 22a-430-3(b)(2), and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows:

“I have personally examined and am familiar with the information submitted in this document and all attachments hereto, and I certify that, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that a false statement made in the submitted information may be punishable as a criminal offense, in accordance with Section 22a-6 of the CGS, pursuant to Section 53a-157b of the CGS, and in accordance with any other applicable statute.”

(f) *Date of Filing*

For purposes of this General Permit, the date of filing with the Commissioner of any document is the date such document is received by the Commissioner. The word “Day” as used in this General Permit means the calendar day; if any date specified in the General Permit falls on a Saturday, Sunday, or legal holiday, such deadline shall be the next business day thereafter.

(g) *False Statements*

Any false statement in any information submitted pursuant to this General Permit may be punishable as a criminal offense, in accordance with Section 22a-6 of the General Statutes, pursuant to Section 53a-157b of the CGS, and in accordance with any other applicable statute.

(h) *Correction of Inaccuracies*

Within fifteen (15) Days after the date a Registrant becomes aware of a change in any of the information submitted pursuant to this General Permit, becomes aware that any such information is inaccurate or misleading, or that any relevant information has been omitted, such Registrant shall correct the inaccurate or misleading information or supply the omitted information in writing to the Commissioner. Such information shall be certified in accordance with Section 6(d) of this General Permit. The provisions of this subsection shall apply both while a request for Approval of Registration is pending and after the Commissioner has approved such request.

(i) *Transfer of Authorization*

An Approval of Registration under this General Permit is transferable only in accordance with the provisions of Section 22a-60 of the CGS. Any Persons proposing the transfer of an Approval of Registration shall submit a license transfer form to the Commissioner. The new Registrant is not authorized by this General Permit until an Approval of Transfer is issued by the Commissioner. The new Registrant shall adopt the Operation and Management Plan (“O&M Plan”) developed by the previous Registrant for the Facility. The new Registrant shall amend the O&M Plan in accordance with subsections 6.(h) “Correction of Inaccuracies” and 6.(d) “Duty to Provide Information” of this General Permit.

(j) *Other Applicable Law*

Nothing in this General Permit shall relieve the Registrant of the obligation to comply with any other applicable federal, state and local law, including but not limited to the obligation to obtain any other authorizations required by such law.

(k) *Other Rights*

This General Permit is subject to and does not derogate any present or future rights or powers of the State of Connecticut and conveys no rights in real or personal property nor any exclusive privileges, and is subject to all public and private rights and to any federal, state, and local laws pertinent to the property or activity affected by such General Permit. In conducting any activity authorized hereunder, the Registrant may not cause pollution, impairment, or destruction of the air, water, or other natural resources of this state. The issuance of this General Permit shall not create any presumption that this General Permit should or will be renewed.

Section 7. Ceasing Regulated Activities

The Registrant shall close the Facility in accordance with Section 22a-209-13 of the RCSA.

Section 8. Commissioner's Powers

(a) *Abatement of Violations*

The Commissioner may take any action provided by law to abate a violation of this General Permit, including the commencement of proceedings to collect penalties for such violation. The Commissioner may, by summary proceedings or otherwise and for any reason provided by law, including violation of this General Permit, revoke a Registrant's authorization hereunder in accordance with Sections 22a-3a-2 through 22a-3a-6, inclusive, of the RCSA. Nothing herein shall be construed to affect any remedy available to the Commissioner by law.

(b) *Revocation, Suspension, or Modification*

The Commissioner may, for any reason provided by law, in accordance with law, revoke or suspend this General Permit or Approval of Registration under this General Permit, or modify the same to establish any appropriate conditions, schedules of compliance, or other provisions which may be necessary to protect human health or the environment.

(c) *Filing of a Solid Waste Facility Permit Application*

If the Commissioner notifies a Registrant in writing that such Registrant must obtain an Individual permit to continue lawfully conducting the activity authorized by this General Permit, the Registrant may continue conducting such activity only if the Registrant files an application for an Individual permit within sixty (60) Days of receiving the Commissioner's notice. While such application is pending before the Commissioner, the Registrant shall comply with the terms and conditions of this General Permit and the subject Approval of Registration. Nothing herein shall affect the Commissioner's power to revoke a Registrant's authorization under this General Permit at any time.

Issued: _____

Michael Sullivan
Deputy Commissioner

This is a true and accurate copy of the General Permit executed on
by the Commissioner of the Department of Energy and Environmental Protection.